## IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF NORTH CAROLINA CHARLOTTE DIVISION 3:05cr390

UNITED STATES OF AMERICA	)	
	)	
VS.	)	<u>O R D E R</u>
	)	
DEMORRIS TRYESE ALLEN (10)	)	
	)	

**THIS MATTER** comes before the Court upon the defendant's pro se Motion for Documentation. (Doc. No. 420).

The defendant requests copies of the incident report on which his case was based and all exhibits to help him prepare his habeas corpus motion. (<u>Id.</u> at 1). Rule 16 of the Federal Rules of Criminal Procedure allows a defendant to inspect information during a criminal prosecution; it does not entitle a defendant to conduct discovery in anticipation of post-conviction litigation.

Once a motion is filed under 28 U.S.C. § 2255, discovery is controlled by Rule 6 of the Rules Governing Section 2255 Proceedings and is only allowed with a showing of good cause.

IT IS, THEREFORE, ORDERED that the defendant's Motion for Documentation is **DENIED**.

The Clerk is directed to certify copies of this order to the defendant, Reg. No. 20751-058, FCI Williamsburg, P.O. Box 340, Salters, South Carolina, 29590, and the United States Attorney.

Signed: July 14, 2010

Bobert J. Conrad, Jr.

Chief United States District Judge